



City of Carmel

Carmel Advisory Board of Zoning Appeals Hearing Officer Monday, April 26, 2004

The meeting was held at 6:15 PM in the Council Chambers on the Second Floor of Carmel City Hall on April 26, 2004. The Hearing Officer was Leo Dierckman.

Department of Community Services Staff in attendance: Angie Butler and Mike Hollibaugh.

Ms. Butler gave the Department Report. Item 1D gave 7:00 PM as the meeting time in the Public Notice and the Department recommends this item be tabled until the full BZA meeting at 7:00 PM. There were some discrepancies in the Department Reports for Greyhound Commons and Clay Terrace. These reports were written prior to the Plan Commission approval which both have received. The Department failed to update these Department Reports, but we are recommending favorable approval for both.

D. Public Hearing:

1d. Brookshire Village, Lot 60: Kett Residence

The applicant seeks approval of the following development standards variance:

Docket No. 04030040 V Ch.8.04.03.D.1 rear yard setback

The site is located at 12547 Charing Cross Rd. The site is zoned R-2/Residence.

Filed by Gilbert Kett.

This item was tabled until the full BZA meeting at 7:00 PM.

2-5d. (04020026 V - 04020029 V) Greyhound Commons, Phase II

The applicant seeks the following development standards variances:

04020026 V Sec. 6.2 of PUD: Z-344 minimum building height

~~**04020027 V** Sec. 11.3.A.2 of PUD: Z 344 sign area: Abuelo's west elevation~~
WITHDRAWN

~~**04020028 V** Sec. 11.3.A.2 of PUD: Z 344 sign area: Abuelo's south elevation~~
WITHDRAWN

~~**04020029 V** Sec. 11.3.A.4 of PUD: Z 344 sign color for Abuelo's~~
WITHDRAWN

The site is located at the southwest corner of Greyhound Pass and E. 146th St.

The site is zoned PUD-Planned Unit Development. Filed by Paul Reis of Drewry Simmons Pitts & Vornehm for Kite Development Co, Inc.

Present for the Petitioner: Mark Monroe, Drewry Simmons Pitts & Vornehm, 8888 Keystone Crossing, Suite 1200, Indianapolis, IN. The site in question is just south of the existing Lowe's Home

Improvement Store. The site plan was shown. There are four separate restaurant pads, one of which is the Abuelo's Restaurant. The request is to reduce the minimum height from 30 feet to 25 feet. A representative drawing was shown. This variance would cover the four building sites shown on the site plan. The Special Studies committee of the Plan Commission has approved the building design.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

The Public Hearing was closed.

Ms. Butler gave the Department Report. The Department recommends a positive recommendation.

Mr. Dierckman approved **Docket 04020026 V Greyhound Commons.**

6-17d. Clay Terrace Signage: Revised - V #0403028 V through #00403039 V

Petitioner seeks Development Standards Variances from Section 10.3, Sign Requirements, of their PUD ordinance Z-386-02.

#04030028	§10.3 C.1	Center Identification Sign Height
#04030029	§10.3 C.1	Center Identification Sign Design
#04030030	§10.3 C.2	Main Center Identification Sign Height
#04030031	§10.3 C.2	Main Center Identification Sign Design
#04030032	§10.3.C.3	Center /tenant Identification Sign Quantity
#04030033	§10.3.C.3	Center/tenant Identification Sign Height
#04030034	§10.3.C.3	Parking Area Identification Sign Quantity
#04030035	§10.3.C.3	Parking Area Identification Sign Height
#04030036	§10.3.C.3	Food Court Signs
#04030037	§10.3.C.3	Welcome Signs
#04030038	§10.3.D.2	Office signs facing residential
#04030039	§10.3.C.3	Office tenant directory signs

The site is located at the southwest corner of US Highway 31 and East 146th Street.
Filed by Paul Reis of Drewry Simmons Pitts & Vornehm for Lauth Property Group.

Present for the Petitioner: Paul Reis, Drewry Simmons Pitts & Vornehm, 8888 Keystone Crossing, Suite 1200, Indianapolis, IN. This is the refined sign package for the Clay Terrace Development, which has previously been submitted to the Special Studies of the Plan Commission. Overall the sign plan is the same as previously presented and approved last year. With further refinement, design issues have been addressed covering entry signs, amenity directional signs, identification sign on US 31, and the office tenant directory signs. The sign designs have been upgraded and presented to the Plan Commission.

Members of the public were invited to speak in favor of the petition; no one appeared.

Public Remonstrance:

Deann Wimer, 6 Circle Drive, Carmel. Her backyard abuts this property. She was concerned about the lighting on each of these signs and flooding over into the neighborhood. There have been other construction changes and problems and lack of maintenance at the site that have not been addressed.

Mr. Dierckman stated tonight's meeting is specifically in regard to the signs.

Rich Walton, 401 Thornberry Drive, Carmel, IN. He is southwest of Clay Terrace and also has concerns about the lighting. He felt there were huge increases in the lighting. There is also a grading down of the property along the west end of the mall where it butts up to Stonehedge neighborhood. He is concerned the lighting will spill over the eight-foot fence.

Mr. Dierckman explained that the lighting discussed tonight would be limited to the lighting of the signage.

William Ivy, 418 Thornberry Drive, Carmel, IN. His property is at the end of the road, looking up at the property. He would like to know how high the signage is moving over the proposed fence and how much of the fence is actually going to be related to level of the grading and where the fence is this starting. If the signage were going to be raised, he would like the fence raised.

Debbie Collins, 10 Circle Drive, Carmel, IN and purchasing 8 Circle Drive. Mrs. Collins stated that Ann Esrael from 12 Circle Drive had sent a letter with her concerns. Mrs. Collins was concerned about the lighting.

The Department did not have a copy of the letter.

The Public Hearing was closed.

Mr. Dierckman asked Mr. Reis to talk about the lighting on each sign.

Mr. Reis stated the site light levels that were previously submitted and approved have not been changed. Those are all calculated so that light is not going to migrate from the Center into the neighborhoods, particularly the people on Circle Drive. The only changes are primarily project signs inside the project. Although the height is being increased, the sign size is significantly less than what is allowed under the ordinance. He identified each sign on the map and discussed its size and lighting. Because of the distance from these signs, they will not be seen from the residences.

Mr. Dierckman stated that the Plan Commission had paid a lot of attention to the details of these signs and believed they were an improvement from those originally planned.

Jon Kerns, 125 Ewing Court, Carmel, IN. He asked to see the sign marker that looked like it was at his yard.

Mr. Reis showed him the location and he was satisfied.

William Ivy asked about the signs facing the residence that were raised in height.

Mr. Dierckman stated there were no changes in signs facing the residences.

Mr. Dierckman closed the Hearing.

Ms. Butler gave the Department Report. She stated that the Plan Commission worked hard on this item and the Department recommended positive consideration.

Mr. Dierckman approved **Dockets 04030028 V through 04030039V, Clay Terrace Signage: Revised.**

E. Old Business.

None

F. New Business.

None

G. Adjourn.

The meeting was adjourned at 6:45 PM.

Leo Dierckman, Hearing Officer

Connie Tingley, Secretary